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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,901	06/25/2003	Cheng-Chieh Chuang	39524.6900	4884
20322	7590	05/02/2005	EXAMINER	
<b>SNELL &amp; WILMER</b> ONE ARIZONA CENTER 400 EAST VAN BUREN PHOENIX, AZ 850040001				BLOUIN, MARK S
ART UNIT		PAPER NUMBER		
2653				

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/603,901	CHUANG ET AL.
	Examiner	Art Unit
	Mark Blouin	2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM

**THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 11 April 2005.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1,2,4-7,9-12,14-17 and 19-24 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,4-7,9-12,14-17 and 19-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 June 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**Detailed Action**

***Response to Amendment***

- The reply file on April 11, 2005 was applied to the following effect: Claims 1,6,11, and 16 are amended, Claims 3,8,13, and 18 are cancelled, and Claims 21-24 are added.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,2,4-7,9-12,14-17, and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Omori et al (USPN 6,650,609).
3. Regarding Claims 1,6,11,16, and 21-24, Omori et al shows (Figs. 16 and 32), a disc data reading apparatus comprising a housing (6) having an opening, the opening defining a front edge (See Examiner's Drawing) and the front edge extending to form a protrusion (See Examiner's Drawing), a plurality of stoppers (131a, 131b) being connected to the front edge and extending downward from the front edge, and a panel (60), the panel being selectively connected to the front edge (See Examiner's Drawing), the panel including a first surface (See Examiner's Drawing) corresponding to the protrusion, wherein a force existing between the protrusion and the first surface limits relative displacement between the panel and the front edge for preventing a cracked disc flying out of the disc data reading apparatus.

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4. Regarding Claims 2,7,12, and 17, Omori et al shows (Figs. 16 and 32), the apparatus, wherein the panel further comprises a depression, the first surface being a side-wall of the depression, as the housing is connected to the panel, the protrusion is received within the depression (See Examiner's Drawing).

5. Regarding Claims 4,9,14, and 19, Omori et al shows (Figs. 16 and 32), the apparatus, further comprising a tray (2) and a chassis (14), the tray including a support point (Col 17, lines 1-20), as the disc becomes cracked, the support point touches against the chassis and receives a reaction force limiting relative displacement between the tray and the chassis.

6. Regarding Claims 5,10,15, and 20, Omori et al shows (Figs. 16 and 32), the apparatus, further comprising a tray and chassis, the chassis including a support point (Col 17, lines 1-20), as the disc becomes cracked, the support point touches against the tray and receives a reaction force limiting relative displacement between the tray and chassis.

***Response to Arguments***

7. Applicant's arguments filed April 11, 2005 have been fully considered but they are not persuasive.

Applicant asserts on Page 6 :

*"...Omori fails to show the housing having a stopper, ... the housing being connected to the front edge and extending downward from the front edge for blocking a cracked disc."*

The Examiner maintains that Omori et al Figures 16 and 32 are very similar to the Applicants Figure 2c, disclosing similar structures. Omori et al shows a plurality of stopper structures (bottom edge of panel (60) and (131)), which act as a barrier to matter (e.g., pieces of a cracked disc) preventing them from exiting the disk player. The Examiner also notes that the Applicant describes the stopper as a "net structure" in paragraph 0031 of the specification and

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the stopper of Omori et al is similarly described as an unwoven cloth (Col 20, line 15), analogous to a net structure. Therefore, the rejection of Claims 1,2,4-7,9-12,14-17, and 19-24 are upheld.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (703) 305-5629. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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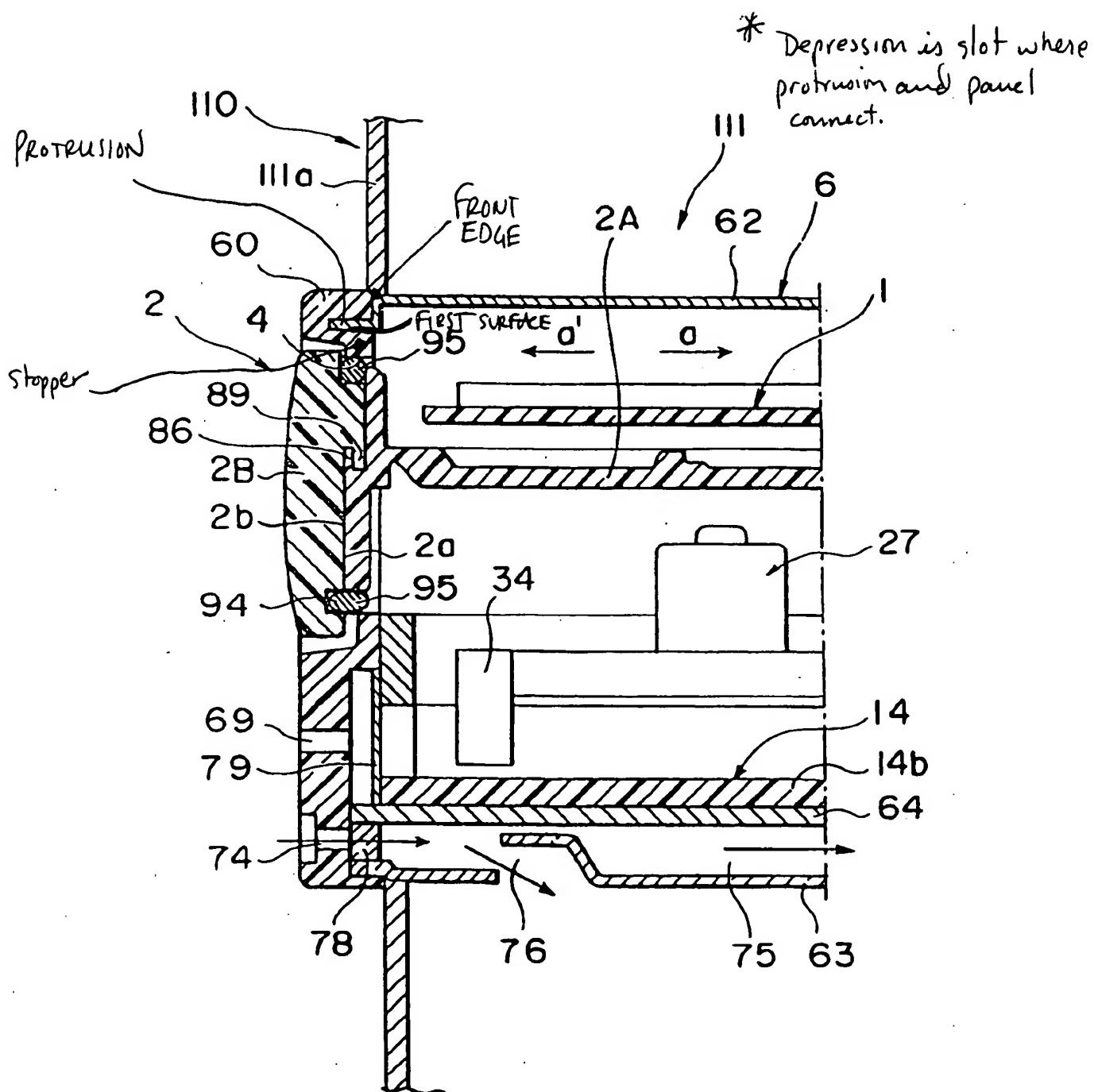


Mark Blouin  
Patent Examiner  
Art Unit 2653  
April 28, 2005



**ANGEL CASTRO**  
**PRIMARY EXAMINER**

FIG. 16



EXAMINER'S DRAWING